

# ADEQ Meeting Minutes

Arizona Department  
of Environmental Quality



## Payson PCE and Tonto & Cherry Water Quality Assurance Revolving Fund (WQARF) Site Community Advisory Board Meeting

Wednesday, November 1, 2006  
6:00 p.m. to 8:00 p.m.  
Community Development Building  
303 Beeline Highway  
Payson, Arizona

### DRAFT MINUTES

Ref: PIOU #07-078

CAB Members Present: Sean Meares, Damian Wiseman, Robin Morris, Roger Hattrup, Diane Sexton

CAB Members Absent: John Shoemaker

ADEQ Staff in Attendance: Wendy Flood, Community Involvement Coordinator; Chris Gamache, Project Manager; Julie Riemenschneider, Remedial Projects Unit Manager

Members of the Public Present: Dorothy Herrig, Shirley McGearry

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The following matters were discussed, considered, or decided at the meeting:

**1. Welcome and Introductions-**

Mr. Robin Morris called the meeting to order. Introductions were conducted of those present.

**2. Acceptance or Changes to June 6, 2006 meeting minutes –**

Mr. Hattrup moved to accept the minutes as submitted. It was seconded by Mr. Sean Mears. The CAB voted unanimously to approve the minutes.

**3. Agenda Format Discussion and Vote –**

This item was tabled.

**4. Groundwater Monitoring Update for Payson PCE and Tonto and Cherry -**

Mr. Gamache provided an update on the sites since the last meeting. Mr. Gamache stated a sampling event was conducted in September, and over 40 samples were collected. Twenty of the samples have had a decrease in PCE concentrations since March, and one well had an increase. Contaminant concentrations on the western side of the plume are still being monitored, but in general there had not been much change on the site since the previous sampling event.

Mr. Hattrup questioned the concentration of the western extent of the plume. Mr. Gamache responded that the western portion is just above the aquifer water quality standard for PCE.

Mr. Gamache explained about the Record of Decision (ROD) for the Payson PCE site. ADEQ hopes to have it done by the end of fiscal year, which is June 2006. Once the ROD is complete it will be reviewed every five years.

Tonto and Cherry – The contractor has made the necessary changes to the draft Remedial Investigation (RI) Report. The RI will go out for public comment. CAB members will receive letters about the comment period, and an announcement will be published in the paper. Any comments can be submitted during the 30-day comment period. The CAB is asked to review the RI and submit comments during the comment period.

Mr. Gamache concluded the presentation by informing the CAB of the next sampling event which will be in December. It was explained that this is a smaller event and originally conducted to track MTBE within the site. MTBE has not been detected for a while, however the sampling event is still conducted to look for any MTBE and to track progress of the remediation system.

**5. Record of Decision Discussion for Payson PCE –**

Covered above

**6. Draft Remedial Investigation Plan Notice Discussion for Tonto and Cherry –**

Covered above

**7. Signing of Updated Charter –**

Mrs. Flood summarized the charter issue from the last meeting for the new CAB member. Item 4, letter K was read to all CAB members as currently written. ADEQ proposed new wording. Mr. Morris disagreed with the proposed wording change offered by ADEQ and further discussed the issues he has. Ms. Riemenschneider explained the authority and role of ADEQ per Arizona statute. Mr. Morris did not agree with Ms. Riemenschneider's explanation.

Mrs. Diane Sexton inquired about why the charter needs to be signed. Ms. Riemenschneider explained the membership constraints that the old charter put on the CAB in terms of the number of CAB members and quorum designation.

Mr. Morris asked why Mr. Steve Owens has not listened to the CAB and suggested changes to the state legislators (like items in the charter that restrict the requests that CAB members can make). Mr. Morris would like to replace the current verbiage in Letter K of the charter to read that a press release for any trace amounts of any contaminate leaving the plant be required by ADEQ. Mr. Gamache commented that testing for certain contaminants are already required by the State, and if the water system did regular tests for all contaminants, even those not required or have no

standard, then the costs would go way up, and it might become a bigger Town of Payson (Town) issue.

Mr. Morris showed the 2006 Payson Water Quality Assurance report which stated MTBE was tested for in 2001. He wanted to know why ADEQ didn't require the town to report testing results in other years and include them in the report as well when there was MTBE. Mr. Morris was told that all reporting requirements are the Town's responsibility and that they were within the proper state and federal requirements. He expressed his opinion that ADEQ was "passing the buck" to the Town.

Mrs. Sexton commented that in the past the public has not been given all the information, so this is why the CAB is so passionate to have disclosure. Mr. Gamache stated that he and Mrs. Flood have worked hard to solve the mistrust issue and have offered more than the required information to the public. Mr. Wiseman commented that the CAB feels that it is hard to get the information out to the public, and not many people go to the library.

Mr. Gamache explained the purpose of the CAB, their notification for the ROD and why the CAB is involved in the ROD process. Mr. Mears asked about the notification requirements for high level contaminations after the ROD is in place. Mr. Gamache explained the agreement and relationship with the Town regarding sampling for the contaminants before and after treatment. Any reporting/notification required after treatment is the Town's responsibility.

Mr. Hattrup asked about how the water quality is checked after the water leaves the plant and moves through pipes. It was again explained to the CAB that a different department in ADEQ regulates drinking water issues and Mr. Gamache is not familiar with the Town of Payson water delivery system.

Mrs. Herrig asked who receives the reports. Mrs. Flood explained that fact sheets go to the community involvement area and others on the mailing list. Mrs. Flood then reminded the CAB that under item K in the charter, requests can still be made by the CAB. She explained that if this charter is not signed, then the 1998 charter remains in effect, and there will be restraints on the current CAB to keep a quorum of the total number of members mentioned in that charter in order to hold official meetings.

Ms. Riemenschneider explained the WQARF history and the different aspects and requirements of the WQARF program. Mrs. Sexton commented that she understood the charter and felt that the issues that have been discussed need to go to the legislature for changes.

Mr. Morris moved to have Mrs. Flood, Mr. Gamache and Ms. Riemenschneider let Director Owens know that the Payson PCE/Tonto and Cherry CAB board was not happy with the situation with how the law is written in regards to sampling requirements. Mr. Morris continued that Mr. Owens should advise the legislature to change the laws so that if MTBE or something similar leaves the plant after treatment, ADEQ will notify the public in the paper.

Mr. Gamache explained the process that ADEQ employees have to follow the chain of command to comply with such a request. Mr. Morris wanted to know that Mr. Owens received the request through the chain of command. Mr. Morris stated he wanted public notification to be required when sampling results showed MTBE at 5 ppb for time and memorial. He also wanted a press release to be required for all contaminants that are above their standard. Mr. Morris continued that this request should go directly to Mr. Owens, and he wanted the CAB to receive a response from Mr. Owens. Mr. Morris also requested that Mr. Owens let the legislature know that the Payson PCE/Tonto and Cherry CAB made this request. He then requested that the status of these requests be reported at the next CAB meeting.

Mrs. Flood asked for clarification that if these requests were taken to the Director's Office and the CAB was kept informed of the status of the requests to Steve Owens, then, Mr. Morris would sign the charter as is. Mr. Morris agreed. Mr. Mears seconded and the motion was passed.

**8. Discussion and Voting on CAB Application -**

None to discuss. Mr. Morris asked to have this be a standing item on the agenda.

**9. Community Involvement Plan Update and Questionnaire Discussion-**

Mrs. Flood reminded all the CAB members about the questionnaire mailing and that she will be calling the CAB to ask questions to update the plan. She mentioned that there was very little response from the mailing, and Mrs. Flood wanted to get a better representation of the community.

Mrs. Flood also informed the CAB that some upgrades were done to the web page as requested by CAB members. Mr. Morris asked for an additional upgrade on the main page. He suggested that there could be a "Cleanup sites around the state" link.

**10. Call to the Public –**

Mrs. McGeary agreed for the community's right to know and suggested that the communications be simple to understand.

**11 Future Meeting Date/Agenda Topics**

Minutes of the 11/1/2006 Payson PCE/Tonto & Cherry CAB meeting

Page 4 of 5

ADEQ proposed the next meeting be held on March 7, 2007 at 6:00 p.m. The CAB agreed. Agenda topics will include the approval of the meeting minutes, a report from the project manager, CAB application voting, signing of the charter, and an update on the CAB's requests to the Director.

**12. Adjourn**

Mrs. Diane Sexton was presented her CAB notebook, and Mr. Morris adjourned the meeting.